

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION**

IN RE: **SCOTT ALLAN ABBOTT**  
**LISA ANN ABBOTT**

**#14-30016-SHB**

**Chapter 13**

Debtors.

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**MOTION BY CHAPTER 13 TRUSTEE FOR RETURN OF UNCLAIMED FUNDS**

Comes the Chapter 13 Trustee and would show to the Court the following:

1. The debtor(s) filed Chapter 13 Bankruptcy on January 6, 2014.
2. The plan was confirmed on April 11, 2014.
3. The plan was confirmed to pay the Abbott's mortgage and pre-petition mortgage arrearage through the plan.
4. Mortgage claims were filed by Carrington Resolution Services on April 14, 2014 (Trustee claims 004 and 005 – Court claim 12) and payments commenced to the creditor in April 2014.
5. In December 2014, Carrington Resolution Services returned the Trustee's check with notification that servicing had changed. The Trustee notified the creditor and new servicing agent to file a notice of transfer. None was filed as of April 2015, so the Trustee coded the mortgage claims to pay future distributions to the clerk of the court as unclaimed funds.
6. A Notice of Transfer was filed 6-22-15. The Trustee's office entered the new creditor information and began disbursing mortgage payments to the new servicer in July 2015.
7. Prior to the Notice of Transfer, the Trustee sent \$6,396.25 to unclaimed funds (\$4,274.65 on claim 004 and \$2,121.60 on claim 005). Claim disbursement history is attached for claim 004 and 005.

Based on the foregoing, the Chapter 13 Trustee requests the Clerk of the Court to refund \$6,396.25 to the Chapter 13 Trustee so the funds can be paid to the creditor, now that the change of service information has been filed with the Court.

Respectfully submitted,

/s/ Gwendolyn Kerney (w/perm mgb)

GWENDOLYN M. KERNEY, #07280

Chapter 13 Trustee

P.O. Box 228

Knoxville, TN. 37901

(865) 524-4995

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing **Motion, Notice of Hearing and Order** have been served by first class, US Mail or by electronic filing to the following:

Scott & Lisa Abbott  
904 Churchhill Drive  
Maryville, TN 37803

Zachary S. Burroughs  
Attorney for the Abbotts  
408 S. Northshore Dr.  
Knoxville, TN 37919

Specialized Loan Servicing, LLC  
8742 Lucent Blvd, Suite 300  
Highlands Ranch, Colorado 80129

United States Trustee  
800 Market Street, Suite 114  
Knoxville, TN. 37902

This 8th day of September, 2015

/s/ Gwendolyn Kerney (w/perm mgb)

GWENDOLYN M. KERNEY, #07280

Chapter 13 Trustee

PO Box 228

Knoxville, TN. 37901

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